

BLUE BY DAY, WHITE BY NIGHT:

Organized White Supremacist Groups in Law Enforcement Agencies

**A Background Research Report
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White supremacist groups like the Ku Klux Klan have always had a contradictory relationship to the federal governmental system of the U.S. Although these groups are extra-legal by nature, and often carry out illegal acts, they have played a big role in maintaining the political, social and economic order. As a result, they have often been protected by the state apparatus — especially the most racist elements within that apparatus. (For a fuller discussion of the relationship of the KKK and the government, see "The KKK in U.S. History," a PART research report.)

Also, because the KKK and other neo-nazi groups seek power, and have been inclined to use violence to gain their ends, they have looked for recruits and allies in the ranks of the police and the military. Collusion and joint membership between the KKK and law enforcement agencies was common around the country during the Klan's heyday in the 1920's, when whole Klaverns were deputized for Prohibition raids, as well as throughout the South during the civil rights era.

But this is not only a matter of history, it's a current day reality. The common interests of the white fascists and the police have created a symbiosis and overlap at the same time that the opposing demands of multiracial, multiethnic democracy and violent white supremacy should create opposition between the cops and the klan.

After briefly sketching the historical background of the links between the KKK and other white supremacist groups with law enforcement through the 1960's, this report will concentrate on developments since the Greensboro killings of five anti-klan activists by a nazi-KKK alliance in 1979, which mark the beginning of the current period, and which make clear that cop-klan collusion is still very much a current problem. This report is not a comprehensive analysis of the broader issue of racism in police forces in general, or of the widespread problem of racist brutality and deadly force by cops. It focuses on the relationship between the cops and the Klan.

Organized police forces and organized white supremacist groupings had their origin in roughly the same period of U.S. history, after the Civil War. Prior to that, the government was still a relatively weak element of society compared to the massive force it wields today. Slave codes were enforced by slave-owners and their overseers, who would deputize slave patrols from among the white population. Urban populations were relatively small. Militias were called up from

the armed white male population to put down rebellions among the lower classes or to suppress the Native nations.

However, with the abolition of slavery, the conquest of the remaining Native nations in the center of the continent, and the growth of industrialization, new forms of controlling society and individuals were required. The KKK sprang up to terrorize and disenfranchise the freed slaves and restore the old slave-ocracy to power in the South, and throughout the country, a permanent army and professional law enforcement bodies began to develop.

The federal nature of the U.S. government meant there would not be a single national police, but rather a large number of small local and state forces. In sparsely populated areas, as settlers began to take Native American land in the west, U.S. marshals were appointed (again with the power to deputize white men) to lay down the law until the white population could grow large enough to establish its own civic authorities.

In the larger Eastern cities and west coast ports like San Francisco and Seattle, with large laboring classes, police departments were set up on the British model of constables on patrol (c.o.p.s) to keep a lid on and enforce property relations. From the outset, the people (mostly men) attracted to these agencies have been individuals imbued with authoritarian and racist values, intent on protecting the powers that be and the status quo.

To this day, law enforcement in the U.S. is a patchwork of more than 15,000 different city, state, county and federal agencies. In the largest cities, like New York and Los Angeles, the schools, the housing authority and the rapid transit system may all have their own police departments in addition to the cops who patrol the streets. Also, there are more and more private security forces, whose tradition goes back to the union busting efforts of the Pinkertons. These private cops were hired by the miners and industrialists to control their workforce in the early days of industrialization, when government police agencies had not yet developed to meet the demand for enforcement.

The relationship between groups like the Klan and these official armed bodies has always been contradictory. On the one hand, particularly before the civil rights reforms of the 60's, the KKK and the police tended to share many common values and enforce the same social order. Thus, during the 20's, when the Klan was a mass movement throughout the U.S., operating within the Republican and Democratic parties and holding judgeships, governorships and other elected offices, the KKK would on occasion be deputized to fight rum-runners.

On the other hand, the state is very jealous of its monopoly on the use of force through the police and military, and at times has cracked down on the vigilance committees and lynch mobs. For example, the law against "lynching" actually makes it a crime to take someone from police custody. Clearly, the state was more concerned with its own right to use force and violence without opposition, than with the rights of the Blacks and others who were victims of lynch mobs.

After World War II, when the U.S. became a global power, the so-called national security state developed on the framework of a permanent war mobilization. The state apparatus became even stronger, and the national government began to impose its will more on local and state authorities. Police departments began to be reorganized on a military model, a trend in which L. A. played a vanguard role. Confronted by the Soviet Union and facing an upsurge against colonialism in Africa, Asia and Latin America, the U.S. became concerned with cleaning up its image, if not its act.

The KKK, which had been driven into bankruptcy by the government after getting involved with the nazi-oriented German American Bund prior to the war, was resurrected as a useful tool to fight the reds and to suppress the civil rights movement without dirtying the government's hands openly. However, the new political climate made the relationship between the state and Klan even more problematic than before.

Officially, the government was, under pressure, doing away with the official trappings of apartheid. Jim Crow legislation was being abolished, and the law would no longer maintain segregation. The KKK fought a rear-guard action, along with groups like the White Citizens Council, to maintain the old order. And the leaders of this fight were often office-holders and law enforcement officials. The killing of Medgar Evers, a Black civil rights leader, is one instructive example of this symbiosis. The accused killer, Klansman Byron de la Beckwith, was never convicted. A state government agency designed to combat federal civil rights reforms interviewed prospective jurors and provided the information to Beckwith. An FBI informant in the Klan heard Beckwith practically confess to the killing, but this information was never provided to the prosecution.

Similar incidents abound in the history of the civil rights movement. The killings of Schwerner, Chaney and Goodman, fictionalized in the film "Mississippi Burning," by Alan Parker, into a story of the heroism of the FBI, was actually an example of the clear involvement of local law enforcement with the KKK. The killers were never charged with murder locally and only prosecuted for federal civil rights violations.

The true role of the FBI in this period is particularly ugly, in fact. Under the guise of infiltration, the FBI actually rebuilt the Klan in the south, setting up dozens of klaverns, sometimes being leaders and public spokesmen. Gary Rowe, an FBI informant, was involved in the Klan killing of Viola Liuzzo, a civil rights worker. He claimed that he had to fire shots at her rather than "blow his cover." One FBI agent, speaking at a rally organized by the klavern he led, proclaimed to his followers, "We will restore white rights if we have to kill every negro to do it."

Eventually, however, a number of key reforms finally changed the old order once and for all. The Voting Rights and Civil Rights Acts passed in the wake of the Kennedy assassination and Johnson's landslide opened the door to Black elected officials. Civil rights lawsuits ended legal segregation of the schools -- and of police departments. These measures did not end racism in the U.S., or materially improve the conditions of Black and other oppressed people in this country, but they did change the political terrain for both advocates of liberation and justice, and for the proponents of white supremacy. White supremacy had been replaced as the official ruling ideology by multi-cultural pluralism. Even most Klan groups now couch their demands in terms of "white rights," depicting themselves as an oppressed group only seeking what it is entitled to.

Of course, this is only lip service, masking the true virulent racism that preaches white superiority and depicts Blacks, Jews and others as sub-human or Satanic. And some of the most hard core racists remain within the police departments and other armed bodies of the government.

In the late 70's, the KKK and other racists were trying to regroup. A major political realignment was taking place in the South, and elsewhere in the country. Whites from areas that had been solidly Democratic since Lincoln, were finding a home in the Republican Party just as newly enfranchised Blacks began to vote Democratic. But the Republicans were an odd amalgam of established pro-big business economic conservatives, racists, and hard core old and new right ideologists. A stratum of racists with anti-establishment or populist leanings were uncomfortable with this mix and wanted to rebuild the Klan on more modern, but still openly racist lines, as a voice of white grievance and reaction rather than white satisfaction with the new status quo.

This group included a number with backgrounds in the military, particularly military intelligence or other state counter-insurgency programs such as Bill Wilkinson, David Duke, and Don Black, and their local lieutenants like Louis Beam of Texas, Tom Metzger of California, and Virgil Griffin and Glenn Miller of North Carolina.

These new-age Klansmen shared an ideology that abandoned the old red-neck hooded image for a combination of three-piece suits and para-military camouflage. They continued to draw on police and military forces for their recruits. A Klan klavern loyal to David Duke was organized by Metzger at a Marine base in California in the late '70's, resulting in violent confrontations with Black servicemen. The military dealt with it by scattering its members to other bases around the country, thus simply planting the seeds for Klan organizing in Texas, North Carolina and elsewhere.

In North Carolina, the KKK and the nazis set about building a united racist front, with support and guidance from government operatives in the two groups, and the connivance of local police. Bernard Butkovich, an agent of the Federal Alcohol, Tobacco and Firearms agency, a Vietnam vet and demolitions expert undercover in the local nazi party, helped them obtain automatic weapons. Ed Dawson, an informant for the FBI and the Greensboro police inside the local Klan, helped them unite with the nazis and direct their common ire against Communist anti-klan organizers. Together, the klan-nazi united front murdered 5 anti-klan activists while the Greensboro police carefully looked the other way. Though the killers acted in broad daylight, their actions video-taped by TV newspeople, they walked away scot free, acquitted in both state and federal trials. Eventually, two cops and five nazi-klansmen were found liable in civil court in a suit brought by the survivors of their victims.

This episode set the tone for neo-nazi organizing by the KKK and other white supremacists in the ensuing decade. Although a split has developed in the racist ranks -- David Duke and others opting for the appearance of legitimacy in the political "mainstream" of electoral activity, while Tom Metzger, Beam and others adopted a stance as racist revolutionists opposed to the establishment -- they have all carried out their activities with a surprising degree of impunity. As in Greensboro, even where federal authorities have chosen to prosecute, the racists have often won acquittal, due to poor handling of their cases by the prosecutors and sympathy for their racism among jurors. Most of the court setbacks for the Klan and nazis in the last 10 years have come from civil suits, not criminal prosecutions, except for the break-up of the Order, a neo-nazi underground, and the local trials of numerous nazi skinhead gangs for their racist, anti-semitic violence.

But throughout the decade, there have been a series of exposures of KKK-type groups operating inside police and correctional agencies, the military, and even fire departments. The armed might of the state was used to protect the Klan's "right" to organize its campaigns of racial hatred under the guise of "free speech." In the same period, the KKK returned the favor by organizing to "support the local police" in cases of racist brutality and killings by police. And several neo-nazi leaders, notably Tom Metzger, have continued to carry out their activities with impunity from or even protection by the state. We'll look at each of these issues in turn.

KLAN-NAZI OPERATIONS INSIDE THE POLICE, THE MILITARY, THE PRISONS, AND OTHER UNIFORMED SERVICES

KKK operations inside police agencies are by their nature clandestine in the current period. Unlike the '50's, when sheriffs were open proponents of white supremacy, law enforcement today is supposed to be color-blind. Yet a troubling number of cases of neo-nazi infiltration of or organizing in such agencies have come to light. If what has become public knowledge is the tip of the iceberg, the problem of organized racism in police ranks is massive indeed.

A listing of some military units and police departments affected, and of incidents since the late '70's, will begin to show the magnitude of the problem:

1976. Camp Pendleton, CA: A chapter of David Duke's Knights of the KKK (led in the state by Tom Metzger from nearby San Diego) is exposed at the Marine base. The Corps simply disperses the members to other locations after racial fighting erupts on base.

1977-78. Napanoch, NY: A Klan klavern is exposed operating among prison guards and inmates at a New York state prison. Earl Schoonmaker, a civilian instructor at the prison, and guard Glen Wilkinson are among the top officers who incorporated the Independent Northern Klans in the state. Guard brutality leads to a rebellion by the prisoners.

1979. Sacramento CA: Pistol targets depicting a fleeing Black man are placed on the State Police firing range and on several police lockers. The targets award points for hitting various parts of the Black man's anatomy.

1979. Childersburg, AL: Police Officer William Rayfield, a Klan member, is indicted for, but acquitted of, civil rights violations for shots fired into Black leaders' homes.

1979. Euless, TX: Klan members from the Fort Hood army base, dressed in fatigues, stand guard with weapons over a Klan rally.

1979. U.S.S. Concord, Independence, America: Klan groups adhering to Bill Wilkinson's Invisible Empire form on several navy vessels, holding a cross burning on the America, wearing robes on the Independence and provoking racial incidents on the Concord, based in Norfolk, VA. Wilkinson, a former member of Naval Intelligence, is later exposed as a long time FBI operative. (The Walker family navy spy ring had links to Wilkinson).

1980. San Diego, CA: The police department, through a reserve officer assigned undercover to the KKK, provides funds, radio equipment, and help in gathering ballot signatures to qualify Klan leader Tom Metzger for a run for Congress. (Metzger won the Democratic nomination but lost the general election). Later, the agency destroys all their files and gives the FBI a chronology actually prepared by Metzger himself.

1980. New Britain, CT: Auxiliary cop Gary Picotanno is exposed as the local Grand Dragon of the Invisible Empire of the KKK. He obtains a gun permit because of his police auxiliary status.

1980. Houston, TX: White prison inmates, fighting a court integration order detailing the racist and brutal operations of the Texas prisons, form a group called "Advocates of the Ku Klux Klan," with the support of the local Klan and sympathetic white prison guards and officials. Klan robes are found in a guard's locker.

1981. Frankfurt, Germany: The U.S. Army hires Gene Neill, a convicted drug smuggler and gun runner who has become an open member of the Invisible Empire KKK, and who's writing a regular column for its newspaper, *The Klansman*, after his early release from prison. Neill, who styles himself an "evangelist," is assigned by the chaplain's office of the Army's V Corps to preach to the troops.

1981. Fort Monroe, VA: Five members of the 560th Military Police Company are reassigned when their membership in the KKK becomes public.

1982. Signal Hill, CA: Four cops from the local agency near Long Beach, which is under fire for beatings and killings of Black people, are suspended for wearing t-shirts showing a gallows, a hangman's noose, and the words, "Signal Hill, Stairway to Heaven." The officers bought the shirts at a camp-out of cops sponsored by the Southern California Memorial Peace Officers Association. The shirts were sold by an ex-cop from another department to more than two dozen officers from various agencies. The Signal Hill chief protects the identity of the other officers and departments involved.

1982. Pritchard, AL: Off-duty police Sgt. Bob Morris is seen putting up KKK placards on a city street. (He's fired from the force for "conduct unbecoming an officer").

1982. Meriden, CT: Joseph Hard, the public leader of the KKK in Connecticut, is identified as a prison guard just before a "National White Christian Solidarity Day" rally he organized, featuring Bill Wilkinson. Pressure from the anti-klan movement forces the state to fire him for organizing white guards and prisoners into the Klan.

1983. North Carolina: White supremacists organize among white inmates and prison guards. Glenn Miller's Confederate Knights of the KKK burn a cross outside the home of Bobby Person, a Black prison guard who was trying to win a promotion and became the target of harassment.

1983. Richmond, CA: The Cowboys, an organized white supremacist group in the Richmond police force, is exposed after two of its members are involved in the killing of at least two Black man. At one point, the Cowboys even wore cowboy hats and boots while on patrol. The group

circulates a flyer showing a white hunter grinning over a dead deer with the caption, "choke hold, good for killing big bucks," after a Black man is strangled to death by four guards inside the Richmond jail.

1983. Chicago, IL: In an effort to defeat Black mayoral candidate Harold Washington, the cops form "Police for Epton" (the white Republican). They wear plain white buttons or buttons with a circled watermelon with a slash through it. The white cops circulate racist flyers, and concoct a plan for massive arrests in Black neighborhoods on the eve of the election, which is derailed at the last minute after being exposed by the Black press.

1983. Los Angeles, CA: In the uproar over spying by the Public Disorder Intelligence Unit, (the L.A.P.D.'s "anti-terrorist red squad," which maintained surveillance and dossiers on many of the leading civic and political figures in the city, including opponents of police brutality), it is disclosed that, with the approval of superior officers, a lieutenant in the unit took files home that were supposed to be destroyed. He funneled materials to the domestic espionage apparatus of the Western Goals Foundation, an extremist right wing outfit run by the head of the John Birch Society, with ties to the racist, anti-semitic World Anti-Communist League.

1984. Battle Creek, MI: Larry Guy, Black leader of the Coalition to End Police Brutality and Racism, is the target of a series of Gestapo raids by the police, and grand jury indictments. Guy, who had earlier exposed links between the local cops and the Klan, including a 1980 cross-burning at a Coalition member's home, is arrested along with his son. Then another cross is burned on the lawn of another Coalition member.

1985. Louisville, KY: Alex Young, a 13 year veteran with the Jefferson County police, long active with the Klan, is fired after admitting that he had "probably" accessed the National Criminal Information Computer on behalf of the KKK on non-police business. Young, who had widely distributed Klan propaganda to people who knew he was a cop, is exposed when a Black family victimized by a racist arson brought suit. Young is forced to reveal the identities of police members of a Klan chapter he had formed in the department, called COPS (Confederate Officers Patriot Squad) but a court order keeps their names secret from the public.

1986. St. Pauls, NC: Active duty Marines from Camp Lejeune and soldiers from Fort Bragg engage in para-military training with the KKK and the White Patriot Party, an armed racist group.

1986. Chicago, IL: Black FBI Agent Donald Rochon sues the Bureau. He is the target of harassment and death threats from white agents in the field office. His wife receives KKK type material and threats. (Rochon ultimately wins \$1 million in a settlement of the suit he brings against the agency. Ironically, Rochon when with the L.A.P.D. had infiltrated, spied on and disrupted Black community groups opposing racist police brutality).

1987. Canton, OH: Jewish police officer Steve Silver finds a poster of Adolph Hitler stuck on the wall of the locker room in the police department.

1987. Los Angeles, CA: Assistant Chief Robert Vernon, a fundamentalist minister, is disclosed to be recruiting hundreds of "born again" Christians from the department to his church. Vernon earns a substantial second income selling right-wing Christian books and tapes, and all his staff people at the p.d. are "born again." Vernon is later caught accessing the department's computer to provide information about Michael Zinzun, a former Black Panther running for office in Pasadena, to a right-wing candidate supported by his wife.

1988. Youngstown, PA: Former Police Chief David Gardner is indicted for providing armed security to white supremacist James Wickstrom, head of the Posse Comitatus, as part of a scheme to produce counterfeit U.S. currency to finance the racist movement.

1988. Des Moines, IA: Racist and sexist incidents of harassment within the P.D. provoke a series of lawsuits. In one case, two white cops tried to terrorize a Black officer by donning white robes over their uniforms.

1988. Ogden, UT: The Ogden police hire Richard Masker, a spokesman for the racist League of Peace Amendment Advocates and the Aryan Nations, to lecture them about the far-right movement. In 1983, Masker was fired from a job with the city of Corvallis, OR for sending Hitler birthday cards to local Jews.

1989. San Bernardino, CA: Black officers seeking promotion become the target of harassment. They find threatening racist letters, signed by the Brotherhood of the Aryan Police Officers Association, in their lockers inside a secured area of their police station. The mayor calls on the FBI to investigate.

1989. Exeter, NH: A part-time officer with the local cops is fired for allegedly being involved with the Klan. Thomas Herman was exposed when he ran for a seat on the local Board of Selectmen. (He was defeated).

1989. Los Angeles, CA: Two white sheriff's deputies are suspended after burning a cross inside the County Jail with a home-made blowtorch to intimidate Black inmates. Rehired by Sheriff Sherman Block, one of them, Deputy Brian Kazmierski, later shoots and kills a Mexican national. In 1989-90, allegations surface of organized white supremacist groupings in the Sheriff's Department, at the Lynwood station and the Peter Pitchess Jail facility.

1990. Boise, ID: Two Army Rangers from Ft. Lewis are called to testify at the trial of their associate Bob Winslow, an ex-Ranger discharged in February from Fort Lewis, who then joined the Aryan Nations. Winslow and two others are convicted of plotting to bomb a gay bar, Jewish temple, and Korean businesses in Seattle, WA.

1990. Oak Harbor, WA: Three Navy men are arrested for burning a cross in the wake of the civil trial of racist Tom Metzger for the death of an Ethiopian refugee. The three are attached to the Whidbey Island Naval Air Station. (Whidbey Island is where racist leader Bob Mathews was killed in a shoot out with authorities, and has been a site of a pilgrimage by Metzger and other neo-nazis who support Mathews' violent strategy for exterminationist race war).

1990. Fort Worth, TX: Sgt. Tim Hall is dismissed from the Tarrant County sheriff's department after it is revealed that he is secretly "J. D. Calhoun," the klegele or chief recruiter of the local Klan. Hall's exposure leads to the firing of two other sheriff's department employees and 6 of his fellow military police at Carswell AF base. Hall later tries to get a job with a department in Century, Florida, but is forced out after Dallas papers report on his background. Hall had previously been with the police in Santa Rosa, CA.

1990. Cambridge, MA: Tech Sgt. Hank Stram of the Air National Guard is arrested with a cache of more than 500 weapons, 50,000 rounds of ammunition, a mortar, an anti-tank gun, a rocket launcher, a swastika poster and nazi and survivalist propaganda.

1991: In Los Angeles and San Francisco, CA and in Georgia, Klan activity is uncovered inside the fire department. In S.F., there is harassment of Black firefighters; in L.A., a fire captain dons a Klan type hood to intimidate a Black woman employee, and most of the Black firefighters quit the union when it supports the captain; in Georgia, local Black residents win a settlement in a law suit brought after the fire chief's affiliation to the Klan is disclosed by anti-klan organizers.

1991. Los Angeles, CA: In the wake of the beating of Rodney King by police from the L.A.P.D.'s Foothill Division, it is disclosed that an organized Klan faction was operating at the Foothill station. At least two Black officers, a man and a woman, had been harassed and received Klan calling cards in locked areas of the station.

1991. Ft. Bragg, NC: Sgt. Mike Tubbs, Warrant Officer Jeff Jennett and two civilians are arrested for stealing and stockpiling military weapons. Tubbs was brought back from Saudi Arabia to face charges. The four were part of a group called Knights of the New Order with plans to attack Blacks and Jews.

What this string of incidents makes clear, if nothing else, is that organized, violence-prone white supremacists, who make up only a small fringe element of society at large, are much better represented in the ranks of law enforcement and the military. But this is no accident. There is a kinship between white supremacy and the ideology of law enforcement and law enforcers, the "us against them" mentality which guides their daily lives and contacts with the public, the commitment to suppress threats to the hierarchy of the state and society (which even under our "democratic" system, leaves Black people and other people of color on the bottom). Organized white supremacists within the police forces find fertile soil for their argument that the democratic and egalitarian values and concern for human and civil rights which hem them in are only so much hypocrisy that interferes with cops' ability to protect themselves and get tough on crime.

COPS PROTECT THE KLAN; KLAN RETURNS THE FAVOR

One of the more interesting aspects of the relationship between the police and organized white supremacists is the question of police protection for white supremacists' organizing drives under the guise of maintaining freedom of speech. Time after time, particularly in the early 80's when the KKK was on an upswing, and using public hooded rallies to promote their cause and lay the basis for further night-riding, police forces around the country have come out in force to enable the Ku-Kluxers to carry out this strategy by suppressing or intimidating opposition to the Klan in the community.

In city after city, police and National Guardsmen sometimes numbering in the thousands, were mobilized as phalanxes around handfuls or several dozen neo-nazis or Klansmen. Police attempted to intimidate and sometimes brutalized anti-klan demonstrators. On many occasions, in Washington, D.C., Atlanta, GA, Austin, TX and elsewhere, pitched battles broke out between community residents outraged by the klan and police enforcing the white supremacists' line of march. Some anti-klan groups that work closely with the police put the blame for these incidents on hot-heads in the anti-klan movement. This echoes the line of the police, and the KKK itself. In fact, the violence that erupts at Klan rallies is in the first instance the fault and responsibility of the Klansmen and neo-nazis themselves, who violate the rights and humanity of their victims with their hateful slogans, and who use the public rallies to build the base for their clandestine terror. Everywhere the Klan has organized publicly, racist violence and terror, such as cross-burnings, shootings and assaults have quickly followed.

In the particular rallies that have erupted in violence, police over-zealous in "protecting" the Klan by trying to intimidate and suppress anti-Klan protests have often played an important role. Police who have pushed and bullied anti-Klan protesters, declared counter-protesters to be unlawfully assembling, or cordoned off whole sectors of downtown to separate neo-nazis from anti-racist demonstrators have often brought the ire of the counter-demonstrators on themselves. Police have often been brutal in the arrests they make in these situations, making it seem that their sympathies and affinities lie with the Klansmen they are protecting.

For their part, klansmen and other organized white supremacists have often made one of their top priorities defense and support of the police, particularly in cases where the cops are under attack for racist killings or shootings. In Miami after police violence resulted in a Black rebellion, Bill Wilkinson rushed in to hold a Klan rally to support the police. In Los Angeles in 1983, the local Klan Wizard, Frank Silva, launched a "support the police" campaign after a cop was killed in an incident with a Black man. Silva's campaign culminated in the burning of three crosses that he billed as a religious memorial to fallen cops. But the cross-burning perhaps gives the lie to the Klan's alleged support of the police. Among the participants in the cross burning were Tom Metzger, head of the White Aryan Resistance (WAR), Stan Witek, head of the L. A. Nazi Party, and David Tate and Richard Butler of the Idaho-based Aryan Nations.

According to testimony in a civil suit, Metzger was involved in the russian-roulette interrogation of a suspected police infiltrator of WAR. Witek was convicted of assault on an Amtrak cop when he smashed him with a standing ashtray after a demonstration while Witek was on trial for the cross burning. Tate, who became a fugitive from federal charges while facing trial for the cross-burning, eventually was captured and convicted of killing a Missouri state trooper. The

cross-burning, which supposedly memorialized fallen police officers, turned out to be the cementing of a KKK-Nazi-Aryan Nation alliance that gave birth to the Order, a clandestine neo-nazi armed group that killed a talk show host, robbed a Brink's truck and banks, and plotted the assassination of judges and other public and political figures. "Police supporter" Silva himself became a federal fugitive and is now doing time for his criminal involvement in the Order conspiracy, as are four of his cross-burning co-defendants.

NAZI-KLAN IMPUNITY FROM PROSECUTION

The 1983 L.A. cross-burning is instructive in regards another aspect of the relationship between law enforcement and the white supremacists: the ability of the nazis and KKK to get away with murder. Although more than 15 racists were arrested at the time of the cross-burning, only one, Witek, has so far been convicted on charges arising from the cross-burning, more than 7 years later.

The then-district attorney, a Republican appointee, refused to prosecute after the original arrests were made. The city attorney then refiled misdemeanor charges against the participants. The case dragged slowly through the courts, until a judge suddenly dismissed the charges before the actual trial, buying the neo-nazis' argument that the cross-burning was a protected act under their constitutional rights to free speech and free exercise of religion. The city attorney's office appealed the dismissal. Eventually, an appellate court overturned the lower judge, and the city attorney was allowed to refile. By this time, however, several of the defendants had vanished. Four had become federal fugitives, exposed as members of the Order and wanted for crimes ranging from bank robbery to counterfeiting to murder. As noted about, had they been prosecuted effectively and convicted and jailed for the cross-burning, several lives might have been spared.

The story does not end there, however. The second time they were brought to court, the city attorney in the case needed surveillance and bodyguards because of racist threats related to the Order. The defendants demanded to be tried on felonies (most of the counts could be treated as either misdemeanors or felonies), thus bumping the case back up to the District Attorney and starting things from scratch again.

This proved successful when, after another long series of hearings, a judge again threw the charges out of court before an actual trial could begin. The D.A. again appealed, and again the charges were eventually reinstated by a higher court. This time, in the interim cross-burner Tom Metzger, one of the remaining defendants after the Order fugitives were severed from the case, was convicted in a civil trial in Portland OR of liability in the nazi skinhead killing of an Ethiopian refugee, along with his son John. John Metzger had in fact participated in and been arrested at the L.A. cross-burning in 1983, but had been released as a minor at the time to his mother without charges being filed. Again, one can only speculate who might still be alive today if the Metzgers, father and son, had been held to account for the cross burning when it first happened.

As of this writing (April 1991), charges are still pending against the cross-burners more than seven years after their act of racist terror. A new series of postponements has followed the D.A.'s attempt to prosecute, as the Metzgers deal with their legal woes from the Portland civil suit.

As noted earlier, Metzger also enjoyed a charmed life with the San Diego police. Despite the intelligence reports submitted by a police reservist assigned to infiltrate Metzger's Klan and White American Political Association operations, which documented criminal activities by members of Metzger's group that included allegations of the beheading of Mexican migrant workers, the S.D.P.D. never brought any charges against Metzger. Instead, they let agent Doug Seymour twist in the wind until his cover was blown, and had a breakdown after being interrogated at gunpoint in Metzger's house. Seymour eventually won a civil lawsuit against the police in the case.

Another nazi with a charmed life in the L.A. cross burning case was Richard Butler, head of the Aryan Nations, based in a para-military compound in Idaho which has been the breeding ground for a series of neo-nazi combatants who were eventually captured and convicted of killings and

bombings. Yet Butler himself always walks away, just as he has thus far from the L. A. cross-burning. Butler also was indicted on federal charges while the L. A. case has been pending. He was one of 13 leading white supremacists tried for seditious conspiracy for plotting attacks on federal judges, counterfeiting and other crimes to advance the white supremacist movement. But the prosecution, held in Fort Smith Arkansas, was mishandled like the Greensboro killing case. The white supremacists were acquitted of all charges. At least two of the jurors became involved, possibly romantically, with defendants after the trial.

SUMMING UP

In regard to several key parameters, then, the relationship between the cops and the Klan has been problematic for a democratic society. The organizing of white supremacists within police and military forces, the involvement of the FBI and of (former) intelligence operatives at the highest levels of Klan organizations, the apparent impunity enjoyed by many key white supremacists, all point toward troubling conclusions. At a minimum, these realities make the case that we cannot rely on the cops and the courts to deal with the nazis and the KKK. We cannot ban the Klan. Even imprisonment, while well deserved for many of the white supremacists' crimes, is not a solution, given the existence of racist groups like the Aryan Brotherhood that function among white prisoners, and the fact of Klan organizing among prison guards. The solution to the problem of racist organizing and terror must lie in anti-racist organizing, in building support for the victims of bigoted violence and building alliances among such communities that support self-determination and social justice. Anti-klan organizers in particular must maintain a healthy skepticism of, and distance from, the law enforcement apparatus, in order to maintain our credibility with the communities that are as victimized by police brutality and repression as they are by the neo-nazis. We must oppose racism and brutality in the police, and militarism in U.S. foreign and domestic policies, along with our opposition to the stone racists of the nazis and the klan.